



SANTA ROSA COUNTY DEVELOPMENT SERVICES – Planning & Zoning

SHAWN WARD, AICP
Planning Director
shawnw@santarosa.fl.gov

6051 Old Bagdad Highway, Suite 202 | Milton, Florida 32583

Special Exception Application Instructions:

Complete the application, and submit along with the following, at least thirty (30) business days prior to the next regularly scheduled meeting of the Zoning Board (ZB) *Your application is not deemed complete until all required information is received.*

1. Application fee of \$500.00 plus \$0.55 for each letter to be addressed to all property owners within the prescribed distance. ***Exact fee amounts are determined upon application submittal to avoid excess fees that may result from duplicate mailing labels. Therefore, please do not calculate your fee until Planning and Zoning Staff has verified the correct amount due. Checks should be made payable to Santa Rosa County; credit card payments are subject to a 3.5% service fee.***
 - a. If the subject property is located in the Rural Protection Zone, as identified by the Rural Development Plan, the notification range is 1500 feet from the boundary of the subject property; **or**
 - b. If the subject property is located on Navarre Beach, the notification range is 250 feet from the boundary of the subject property.
2. A copy of the conceptual site plan (plot plan or site layout) drawn to scale showing the property lines, dimensions, structures – existing and proposed – abutting streets, and any other pertinent information. Under certain circumstances a survey or wetlands determination may be necessary; staff can assist in making this determination.
3. The following information from the **Property Appraiser's Office** – located at 6495 Caroline Street, Suite K, in Milton. (850-983-1880) *It is suggested that the PAO is notified of your application submittal at least one (1) week in advance to ensure you receive the requested documents by the posted application deadline date.*
 - a. A certified list all of the surrounding property owners' names and addresses within the prescribed radius of the applicant's property for the requested action. *(See above for notification specifications)*
 - b. A parcel map of the proposed site identifying the selected property owners within the indicated radius of the applicant's property for the requested action.
 - c. Two (2) sets of mailing labels for all of the surrounding property owners' names and addresses within the indicated radius, to be obtained from official tax records.
4. Proof of ownership of the property of the requested action. *(If the applicant is other than the property owner, provide a notarized authorization from the property owner. If the property is under contract for sale, and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.)*
5. Parent Parcel - If a parcel is located within a stormwater problem area, an engineered stormwater management plan will need to be submitted and approved prior to the request being granted.
6. Mailing labels required as part of the applications will only be held in the Planning and Zoning Department for six (6) months without the accompanying application.

5.06.02 Special Exceptions

The Zoning Board is tasked to hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance. The authority to decide special exceptions is limited to the following cases:

- A.** To permit the extension of a district where the boundary line of a district divides a lot held in single ownership at the time of passage of this ordinance, except in the case of unplatted subdivisions.
- B.** To interpret the location of a district line where the street layout on the ground varies from the street layout as shown on the zoning district map or in the event of any other ambiguity, except in the case of unplatted subdivisions.
- C.** To permit the reconstruction of a non-conforming building which has been destroyed or partially destroyed by fire or Act of God no more than two (2) years prior to applying for a special exception, where the Board shall find that the continuance of such non conforming use is in harmony with the general welfare of the public.
- D.** To permit the construction, extension, structural alteration or operation of the following uses, which are otherwise prohibited from certain districts, upon finding by the Board that proper safeguards and conditions have been provided to lessen congestion in the streets, to secure safety from fire, panic or other dangers, to promote health and general welfare, to provide adequate light and air and to prevent overcrowding of land. The Board may impose such additional reasonable conditions and safeguards as it shall deem appropriate to promote the general purposes of this Ordinance. The Board shall have the authority to authorize the following uses in the districts specified; whenever it finds that the safeguards and conditions stipulated have been met:
 - 1.** Cemetery or mausoleum in any district, but provided that:
 - a.** No main or assembly building be located closer than fifty (50) feet to any lot line adjoining an "R" district.
 - b.** Direct access be provided to a collector or major thoroughfare street as differentiated from a local street which serves predominantly as access to residential property.
 - c.** No undertaking establishment or funeral home be operated as a part of such cemetery or mausoleum except in the district where such uses are permitted in this Ordinance.
 - d.** Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.
 - 2.** Off Street parking lot in R 2, R 2M, and R 3 "Multiple Family Districts" provided that at least one (1) boundary of such parking lot abuts a non residential district and provided further that such parking lot is accessory to a permitted use located not more than (300) feet from the use served. In addition, site plan and landscaping requirements for all such off street parking areas shall comply with Section 4.07.04 regarding required landscaping, except that neither a public hearing shall be required by the County Zoning Board, nor shall a review thereof be required by the County Commission.
 - a.** Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.
- E.** To permit a limited range of commercial uses strictly in conjunction with residential uses in Agricultural districts only and located on the same lot and limited to the following provisions:
 - 1.** Maximum number of employees other than family members limited to four (4).
 - 2.** The maximum sized structure allowed for commercial uses limited to 1,200 square feet of total gross floor area.
 - 3.** Commercial activities limited to: woodworking, welding, professional services such as day care, modeling, dancing, and photography studios, hair care and similar services, plumbing and electrical contractors and similar services, and limited retail sales.
 - 4.** Insure the health, safety and welfare of the surrounding community by imposing additional, reasonable safeguards as it shall deem appropriate.
 - 5.** Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.

F. To permit the dividing of a parcel in the Highway Commercial Development District resulting in a parcel which does not possess the required road frontage, provided that:

1. Joint access is provided and established through a joint access agreement between property owners. The joint access agreement must specify responsibility for access improvements necessitated by the development of either lot;
2. Except for road frontage, all other requirements of this Ordinance shall be adhered to; and
3. No more than one (1) non-conforming lot is created and that parcel is deed restricted such that it cannot be further subdivided unless all of the platting requirements are met; and
4. The parent parcel must conform to the road frontage requirements of this Ordinance and must abut a state or county approved roadway; and
5. The division of the parent parcel does not result in the creation of a flag lot; and
6. An access management plan for the minor subdivision must be approved by the County Engineer as provided in Section 4.05.00.
7. Provide a statement showing how the division of property without road frontage will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.

G. To allow the temporary use of a mobile home or recreational vehicle as a guest residence within any residential zoning district due to medical hardship if the following conditions are met:

1. The need for medical care must be certified in writing by a physician licensed in the State of Florida stating the medical hardship and specifying the extent of the need for in-house medical care and approximate length of time for the in-house medical need.
2. A mobile home or recreational vehicle for temporary use shall not exceed 1,300 square feet in size.
3. Both the primary residence and the mobile home or recreational vehicle must be located on a parcel with the same property identification number.
4. Either the caregiver and their immediate family, or the person in need of medical care may occupy the mobile home or recreational vehicle.
5. To avoid overcrowding on a parcel, the minimum lot size for the primary dwelling and mobile home shall be one-quarter acre in all zoning districts for those parcels utilizing public sewer, as long as lot coverage and setback requirements of the relevant zoning district are met. For those parcels utilizing septic tanks, the minimum lot size shall be one-half acre, as long as lot coverage and setback requirements of the relevant zoning district are met.
6. The mobile home or recreational vehicle must have available adequate water, sewer (septic tank), solid waste removal, and electric service. The building inspections department shall inspect the utility connections and shall verify that the mobile home or recreational vehicle complies with hurricane safety requirements.
7. A survey or site plan is required and must be drawn to scale and show the location of all existing structures, the proposed location of the mobile home, and all required setback distances.
8. The mobile home or recreational vehicle must be located behind the principle dwelling, be separated from the principle dwelling by at least 10 feet, and shall observe all setback requirements for the main building.
9. Once the mobile home or recreational vehicle is placed upon the property, the wheels and axles shall not be removed, and no building permit shall be approved for additions to the mobile home, except for handicapped access ramps. RV's must be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches unless required for disability access.
10. The ZB shall determine that the temporary use is the minimum necessary to afford relief due to a medical hardship which is defined as a condition of health whereby a person requires temporary in-house medical care and assistance by another but where circumstances make it difficult or impossible for the caregiver to reside in the same dwelling as the person in need of such care.
11. The ZB shall make a compatibility finding that the temporary use will not have an adverse impact on the use of surrounding properties.
12. The temporary use of a mobile home or recreational vehicle as a guest residence due to medical hardship may be initially granted for a period of up to two years. One additional extension of up to two years may be granted by the ZB based on a physician's confirmation of the continuation of the hardship, and a finding of no changed circumstances, which would

alter prior findings made by the ZB, filed prior to the two-year expiration date. The fee for notice, signage, and legal advertisement requirements shall apply to such extensions.

13. When the medical hardship ends, or an extension is denied, or upon expiration of the initial approval, or upon expiration of the additional two-year extension, the mobile home must be removed from the site within 60 days. Thereafter, code enforcement procedures will be instituted against the property owner to remove the mobile home. Only the ZB, based on competent and substantial evidence or just cause, may extend the 60-day period.

14. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.

H. To permit the dividing of a parent parcel in the RR-1, R-1, R-1M, and R-1A zoning districts, resulting in a parcel(s) which will not possess the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:

1. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;

2. No new County roads are created;

3. An easement maintenance agreement between property owners or an access easement (minimum width 20 feet) included in the deed is required;

4. Property being divided shall not be located within a recorded platted subdivision;

5. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;

6. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and

7. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.

8. Provide a statement showing how the division of property without road frontage will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.

I. To allow the temporary (seasonal) use of recreational vehicles (RVs) located in the Agriculture Rural Residential (AG-RR), Estate Residential Agriculture (AG-1) or Agriculture-2 (AG-2) districts on parcels less than five (5) acres in size, subject to the following requirements:

1. The property owner shall provide for the lawful disposal of all waste.

2. Commercial use of recreational vehicles in Agriculture or Agriculture-2 districts is prohibited. RVs or RV space may not be leased.

3. The recreational vehicle must adhere to the setback requirements for accessory building and structures found in Section 5.02.02.

4. The placement of the RV shall not have any adverse impact upon adjoining or nearby properties.

5. The Zoning Board may impose additional criteria or restrictions, including but not limited to time limits and number of units, based on site-specific circumstances and characteristics to assure compatibility with adjacent uses.

6. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.

General Procedures 11.04.00

11.04.00 GENERAL PROCEDURES

11.04.01 Determination of Completeness and Consistency with Regulations

A. The Planning and Zoning Department shall provide notice via mail or electronic mail to the applicant within thirty (30) days (except as provided below) of receipt of an application stating that the application is complete and that the proposed action complies with the applicable provisions of the Comprehensive Plan and LDC or stating with specificity any deficiencies which if cured, would make the application properly completed and in compliance with applicable regulations. Failure to timely provide such notices shall not be deemed an acknowledgement of completeness and consistency with applicable regulations.

B. The applicant shall have forty-five (45) days from the date of each notice to correct the deficiencies. Until the applicant corrects the deficiencies, the Departments will take no further action for processing the application. If the applicant fails to correct the deficiencies within the forty-five (45) day period, the application shall be deemed withdrawn.

C. Plans submitted in response to a notice specifying deficiencies shall be processed according to 10.05.01(A). The applicant shall then respond to any further notice by the Departments according to 10.05.01(B).

D. The Planning and Zoning Department shall process the application for review and action in accordance with the procedures applicable to that type of application as established.

Consideration by the Zoning Board 11.05.03

11.05.03 Consideration by the Zoning Board

A. Special Exceptions and Variances – In considering all proposed variations to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance or special exception will not constitute any change in the districts shown on the zoning map and will not impair an adequate supply of light and air to adjacent property, or materially increase the congestion in public streets, or increase public danger of fire safety, or materially diminish or impair established property values within the surrounding area, or in any respect impair the public health, safety, morals and general welfare of Santa Rosa County. All approved variances and special exceptions shall be developed and maintained as approved by the Zoning Board or Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance.

E. Special Exceptions - Navarre Beach: The Zoning Board shall hear and decide such Special Exceptions, as specifically authorized by this ordinance. The Zoning Board may decide:

1. Such questions as are involved in determining whether Special Exceptions should be granted;
2. To grant Special Exceptions with such conditions and safeguards as are appropriate under this LDC;
3. To deny Special Exceptions when not in harmony with the purpose and intent of this ordinance. A Special Exception shall not be granted by the Zoning Board unless and until:
 - a. A written application for a Special Exception is submitted indicating the section of this ordinance under which the Special Exception is sought and stating the grounds on which it is requested.
 - b. A public hearing shall be held by the Zoning Board. The owner of the property for which Special Exception is sought or their agent and the owners of property within 250 feet of the affected property shall be notified by mail, at least fourteen (14) days prior to the public hearing.

Notice of such hearing shall be posted in a conspicuous spot on the property for which Special Exception is sought.

- c. The public hearing shall be held by the Zoning Board. Any party may appear in person or by agent or attorney.
- d. Before a Special Exception shall be issued, the Board shall make written finding certifying compliance with the specific rules governing individual Special Exceptions and that satisfactory provision and arrangement have been made concerning the following where applicable:
 - i. Ingress and egress to property and proposed structures thereon with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - ii. Off street parking and loading areas where required with particular attention to the items in (a) above, and the economic, noise, glare, or odor effects of the Special Exception from adjoining properties and properties generally in the District.
 - iii. Refuse and service areas with particular reference to items (i) and (ii) above.
 - iv. Utilities with reference to location, availability and compatibility including maintenance of level of service standards where appropriate.
 - v. Screening and buffering with reference to type, dimension and character.
 - vi. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.
 - vii. Required yards and other open space.
 - viii. General compatibility with adjacent properties and other property in the District.
- e. The Zoning Board may impose such conditions on the granting of the Special Exceptions as may be necessary to prevent injurious effect on other property in the district.

f. Notification: Within fifteen (15) days of the date of public hearing, the Zoning Board shall send to the person or entity requesting the Special Exception a notification of the action taken.

Modifications, Continuances and Withdrawals of Pending Applications 11.07.00

11.07.00 MODIFICATIONS, CONTINUANCES AND WITHDRAWAL OF PENDING APPLICATIONS

11.07.01 Modification to Pending Applications

An applicant shall submit any proposed modification to an application to the Building and Planning and Zoning Department.

11.07.02 Request for Continuance of Public Hearing

- A. An applicant may request, in writing, a continuance of the public hearing.
- B. If the Planning and Zoning Department receives the written request for a continuance at least fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant's request for a continuance will be automatically granted. An applicant is not entitled to more than two (2) automatic continuances.
- C. If the Planning and Zoning Department receives the written request for a continuance less than fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant is not entitled to an automatic continuance. The decision-making entity will consider the request for a continuance and shall only grant such request upon a demonstration by the applicant of good cause for a continuance.

11.07.03 Withdrawal of Pending Applications

- A. An applicant may withdraw an application at any time prior to issuance of a Development Order. The applicant shall provide written notice of the withdrawal to the Planning and Zoning Department.
- B. If the Planning and Zoning Department receives an applicant's written notice of withdrawal less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant shall be precluded from refiling the same or substantially same application for the subject property for a period of six (6) months.
- C. If an application is withdrawn, fees and costs may not be refunded nor credited to any subsequent application dependent on timing of notification, advertising and staff time allocation".



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Special Exception

** For Official Use Only **	
Application No. _____ -SX - _____	Date Received: _____
Review Fee: _____	Receipt No.: _____
Zoning District: _____	Special Exception Request: 5.06.02. _____
FLUM Designation: _____	

Property Owner Information

Property Owner Name: _____

Address: _____

Phone: _____ Email: _____

Applicant Information

Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue special exception approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Email: _____

Property Information for which the Special Exception is being requested:

Parcel ID Number(s): _____

-AND/OR-

Street Address of property for which the Special Exception is requested:

Parcel Size (acres): _____

Home Owners Association Information

Is the subject property governed by a Homeowners Association? Yes No

If YES, provide the contact information for the Homeowners Association (Mailing Address and/or email address)

If YES, provide a letter of support or opposition from the Homeowners Association.

Special Exception Request

What is the present use of the property?

Please describe the requested Special Exception:

Please read the attached provisions of the Land Development Code (starting on Pg 2) carefully and explain how your request addresses each of the pertinent criteria. Attach additional pages if necessary.

Certification and Authorization

I understand that all decisions made by the Zoning Board are subject to appeal and that their decision does not become effective until the appeal time has successfully passed.

Yes No

I understand that approval by the Zoning Board does not authorize construction and/or land clearing to occur on this site and that additional approvals and Building Permits may be required.

Yes No

I understand that determinations by the Zoning Board are valid for 48 months.

Yes No

By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection. I do hereby authorize the placement of a public notice sign(s) on my property at a location(s) to be determined by the County staff. If applicable, I do hereby authorize the Agent shown as the applicant on this application to act on my behalf in all matters pertaining to this rezoning application.

Applicant Name *(Type or Print)*

Applicant Signature

Title *(if applicable)*

Date